

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:23-cv-00575-M-BM

BANCRÉDITO HOLDING CORPORATION,
on its own behalf and derivatively for the benefit
of and on behalf of Nominal Defendant
BANCRÉDITO INTERNATIONAL BANK &
TRUST CORPORATION,

Plaintiff,

vs.

DRIVEN ADMINISTRATIVE SERVICES LLC,

Defendant,

and

BANCRÉDITO INTERNATIONAL BANK &
TRUST CORPORATION,

Nominal Defendant.

DECLARATION IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS
OR, ALTERNATIVELY, MOTION TO
TRANSFER VENUE

DECLARATION OF LUIS AUGUSTO ZAPATA

Pursuant to 28 U.S.C. § 1746, I, Luis Augusto Zapata, under penalty of perjury declare as follows:

1. My name is Luis Augusto Zapata. I am over the age of eighteen (18) years old. I am a citizen of the United States of America and reside in Miami, Florida.
2. I am the President and Chief Executive Officer of Bancrédito Holding Corporation (“BHC” or “Plaintiff”). I have served as President and Chief Executive Officer of BHC since September 19, 2022. In that capacity, I have personal knowledge of the facts stated herein.



3. I provide this declaration in support of Plaintiff's Opposition to Defendant's Motion to Dismiss or, Alternatively, Transfer Venue.

GENERAL BACKGROUND ABOUT BHC

4. Plaintiff owns all the capital stock of Bancrédito International Bank & Trust Corporation.

5. Plaintiff is incorporated in New York.

6. Plaintiff has three directors, including myself.

7. I reside in Miami, Florida.

8. Plaintiff's Chairman and ultimate beneficial owner, Julio Herrera Velutini, resides in London, England.

9. Plaintiff's Secretary, Thais Lopez, resides in Miami, Florida.

10. All meetings between Plaintiff's three directors take place telephonically or virtually.

11. The majority of Plaintiff's business is conducted in New York and Florida.

12. Plaintiff has a Florida-based phone number.

CONVENIENCE OF LITIGATING IN NORTH CAROLINA

13. Plaintiff does not conduct any business in Puerto Rico.

14. Plaintiff does not have any employees, officers, or directors in Puerto Rico.

15. Plaintiff does not pay any taxes in Puerto Rico.

16. Plaintiff does not have a registered agent in Puerto Rico.

17. Proceeding in Puerto Rico would force Plaintiff's Chairman and ultimate beneficial owner, Julio Herrera Velutini, to make an up to 20-hour flight from his residence in



London, England. Proceeding in North Carolina would only require Mr. Velutini to make an eight-hour flight.

18. Multiple witnesses who are associated with BHC reside in New York, New York. Proceeding in North Carolina would only require these witnesses to make a two-hour flight, whereas a flight to Puerto Rico can take up to 12 hours. Additionally, flights from New York to Puerto Rico are significantly more expensive than flights from New York to North Carolina.

19. Multiple officers of BHC reside in Miami, Florida.

20. FinCEN, whose civil penalty is at the center of this dispute, is headquartered in Virginia. Its representatives—who are likely witnesses in this case—would therefore be greatly inconvenienced by having this suit proceed in Puerto Rico, which is over 1,500 miles away from Virginia, as opposed to the 150 or so miles between Virginia and North Carolina.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th day of November, 2023.



Luis Augusto Zapata
President and Chief Executive Officer
Bancrédito Holding Corporation